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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/743,214	12/22/2003	Karen Brodersen	384818526US1	7619
25096	7590	06/22/2006	EXAMINER	
PERKINS COIE LLP			PONIKIEWSKI, TOMASZ	
PATENT-SEA				
P.O. BOX 1247			ART UNIT	PAPER NUMBER
SEATTLE, WA 98111-1247			2165	

DATE MAILED: 06/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/743,214	Applicant(s) BRODERSEN ET AL.	
	Examiner Tomasz Ponikiewski	Art Unit 2165	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 39,40,42,44-47 and 49-70 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 39,40,42,44-47 and 49-70 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>12/22/03</u> | 6) <input type="checkbox"/> Other: _____ |

Handwritten:
11/15/05
6/13/05
12/22/03

DETAILED ACTION

Claims 1-38, 41, 43 and 48 canceled as per preliminary amendment.

Claims 53-70 are newly added

Claims 39-40, 42, 44-47 and 49-70 are pending.

Claim Objections

1. Claim 61 is objected to because they include reference characters which are not enclosed within parentheses. Line 1 recites "CTI system". The abbreviation should be spelled out similar to prior claims.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 39 and 47 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 39 does not distinct the preamble from the body of the claims. Examiner is unclear on what is the claimed invention. The claim appears as one single, long paragraph without preamble and/or distinct steps.

In claim 47 the recitation "are disjoint" does not clearly point to the element it is suppose to complement. The examiner will apply the recitation to "separate virtual databases" in this case.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 39-40, 42, 44-47 and 49-70 are rejected under 35 U.S.C. 102(e) as being anticipated by Elsey et al. (US 6,870,921 B1).

As per claim 39 Elsey et al. is directed to a database system comprising a partitionable database owned by a database operator and storing multiple distinct files that each have an associated owner who is a tenant of the database distinct from the database operator, the database partitioned into multiple separate virtual databases that each correspond to a distinct one of the tenants in such a manner that a partitioned virtual database for a tenant includes the stored files associated with that tenant, the database system further comprising an access control subsystem that is configured to provide access to files in a virtual database to a user only when that user has access

authorization to that virtual database from the tenant who owns that virtual database (column 4, lines 26-32, wherein "stored files" could mean "private directory").

As per claim 40 Elsey et al. is directed to said separate virtual databases are disjoint (column 4, lines 9-11, wherein the information stored may contain different elements).

As per claim 42 Elsey et al. is directed to the access control subsystem is further configured to provide access to a virtual database to a user only when that user has access authorization from the tenant who owns that virtual database (column 4, lines 16-19).

As per claim 44 Elsey et al. is directed to the access control subsystem is further configured to provide access authorization to a user for particular file in a virtual database based on initiation of a database call through an associated computer telephony integration (CTI) system by the owner associated with that file such that the user is an employee of the database operator that receives the database call (column 4, lines 38-44).

As per claim 45 Elsey et al. is directed to the database operator further provides common call center service to customers of the database tenants on behalf of the database tenants (column 10, lines 20-26).

As per claim 46 Elsey et al. is directed to a method of managing a database system having a partitionable database that includes multiple separate virtual databases that each have a unique database owner the method comprising (column 4, lines 26-32, wherein "stored files" could mean "private directory"):

granting access authorization to a user for one of the virtual databases by the owner of that virtual database and providing to the user access to a file in that one virtual database after the user has been granted the access authorization (column 4, lines 16-25).

As per claim 47 Elsey et al. directed to wherein said access to a file in that separate virtual databases are disjoint (column 4, lines 9-11, wherein the information stored may contain different elements).

As per claim 49 Elsey et al. directed to the user further needs authorization from an owner of a file within that one virtual database to access that file, and including providing access to that file to the user after the file owner grants authorization (column 4, lines 19-24; column 4, lines 30-33).

As per claim 50 Elsey et al. directed to before the providing of the access to the file of the file owner, receiving access authorization to that file for the user from the file owner (column 4, lines 30-33).

As per claim 51 Elsey et al. directed to the receiving of the access authorization to the file includes initiation by the file owner of a database call to the user through an associated computer telephony integration (CTI) system (column 4, lines 38-44).

As per claim 52 Elsey et al. is directed to wherein the database is a multi-tenant database having a plurality of tenants, each tenant being the owner of a separate virtual database, at least two of the tenants utilizing a common call center service (column 4, lines 26-28; column 4, lines 38-44).

As per claim 53 Elsey et al. is directed to wherein the partitionable database stores multiple distinct files that are each associated with one of the multiple unique database owners such that the virtual databases each include the stored files associated with the owner of the virtual database (column 4, lines 11-16, wherein "database" could mean "directory").

As per claim 54 Elsey et al. is directed to the partitionable database is operated by a database operator on behalf of the owners of the virtual databases as tenants of the database (column 4, lines 46-47, wherein the subscriber needs a service that is operated by an operator).

As per claim 55 Elsey et al. is directed to each of the tenants lease capacity of the partitionable database from the database operator (column 4, lines 36-38, wherein the subscriber or tenant needs a service that is operated by an operator).

As per claim 56 Elsey et al. is directed to wherein the providing to the user of the access authorization to the file in the one virtual database is initiated by a telephone call from the owner of that virtual database through a computer telephony integration (CTI) system (column 4, lines 38-44).

As per claim 57 Elsey et al. is directed to wherein the user is a representative of an organization providing a service to the owner of the one virtual database (column 4, lines 30-33).

As per claim 58 Elsey et al. is directed to further providing access to the user to files in other virtual databases after the user is granted authorization from the owners of those virtual databases (column 6, lines 3-4).

As per claim 59 Elsey et al. is directed to wherein the access provided to the user is temporary access based on duration of the telephone call (column 5, line 32; column 5, line 56; wherein the "duration" is the time between log in and log out).

As per claim 60 Elsey et al. is directed to wherein the telephone call by the owner of the one virtual database is made regarding the file, and further automatically providing access to the user to other files in the one virtual database based on the telephone call (column 10, lines 20-25; column 10, lines 35-37).

As per claim 61 Elsey et al. is directed to the CTI system is part of a call center service common to the owners of the virtual databases (column 4, lines 38-44; column 10, lines 20-26).

As per claim 62 Elsey et al. is directed to wherein the providing to the user of the access authorization to the file is based at least in part on the user receiving the telephone call via the CTI system (column 4, lines 38-44).

As per claim 63 Elsey et al. is directed to the providing to the user of the access authorization to the file is based on a current role of the user (column 4, lines 30-31, wherein "role" depends on "level of access").

As per claim 64 Elsey et al. is directed to a method of managing a multi-tenant database that includes multiple virtual databases each having a distinct owner who is one of the tenants, each of the virtual databases having multiple associated groups of data, the method comprising (column 4, lines 26-28):

setting access privileges for the groups of data in each of the virtual databases based at least in part on the tenant that owns the database (column 4, lines 16-17);

and for each of multiple requests by a user to one of the data groups in one of the virtual databases (column 4, lines 31-32),

determining whether to grant access to the user for the requested data group based at least in part on a relationship of the user to the tenant that owns the virtual database that includes the requested data group (column 2, lines 45-47; column 4, lines 19-20; column 4, lines 30-31);

when the relationship of the user to the owner tenant is determined to be an employee relationship, granting access to the user for the requested data group (column 4, lines 31-33);

and when the relationship of the user to the owner tenant is not determined to be an employee relationship, granting access to the user for the requested data group only when the owner tenant is determined to have provided access authorization to the user for that requested data group (column 4, lines 16-24).

As per claim 65 Elsey et al. is directed to each of the groups of data is a file stored on the database (column 4, lines 2-3, wherein "groups of data" could mean "directories").

As per claim 66 Elsey et al. is directed to the method is performed by a database operator distinct from each of the tenants (column 4, lines 2-3, wherein plurality of directories could mean they are distinct to each tenant).

As per claim 67 Elsey et al. is directed to at least some of the requests for data groups by users are received for users that are representatives of the database operator and are based on a contact to the users that is initiated by the tenants that own the virtual databases associated with the requested data groups, and wherein the access authorizations for those users are determined to have been provided by those owner tenants based on the initiated contact by those tenants (column 4, lines 16-22; column 4, lines 28-33).

As per claim 68 Elsey et al. is directed to the relationship of a user to an owner tenant is not determined to be an employee relationship and the owner tenant is determined to have provided access authorization to the user for a data group in the virtual database for that tenant, granting access to that user to other data groups in that virtual databases based on that providing of the access authorization (column 4, lines 16-24).

As per claim 69 Elsey et al. is directed to the access granted to a user whose relationship to an owner tenant is not determined to be an employee relationship is

temporary access (column 4, lines 16-23; column 5, line 32; column 5, line 56; wherein the "duration" is the time between log in and log out).

As per claim 70 Elsey et al. is directed to when the relationship of a user to an owner tenant is not determined to be an employee relationship and the owner tenant is determined to have provided access authorization to the user for a data group in the virtual database for that tenant, the access granted to that user is based on a current role of the user (column 4, lines 16-23; column 4, lines 30-31, wherein "role" depends on "level of access").

Conclusion


6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tomasz Ponikiewski whose telephone number is (571)272-1721. The examiner can normally be reached on 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey A. Gaffin can be reached on (571)272-4146. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2165

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Tomasz Ponikiewski
June 16, 2006



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